IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELALTE SIDE

CONTEMPT PETITION NO.145 OF 2005

Smt.Pushpalata Bhanwarlal Soni & Ors. ...Petitioners.

Vs.

M/s. Curio Developers through
Mr.Vinod H. Shah. ...Respondents.

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None for the Petitioners.
Mr. P.M. Havnur for the Respondents.

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CORAM : DR. D.Y. CHANDRACHUD, J.

November 30, 2005.

P.C.:

After the order dated 4th June 2004 which was passed by a Learned Single Judge (Exh.A) on the basis of which the Contempt Petition is instituted, the Writ Petition was disposed of by an order dated 16th June 2004. The statement of Counsel for Respondent No.1 to the effect that the Petitioners would be provided transit accommodation and alternative accommodation (subject to the determination of their eligibility) was recorded. Subsequently, a Civil Application taken out in the Petition was disposed of as misconceived on 6th August 2004. Another Civil Application, Civil Application No.2297 of 2004 was dismissed on

29th October 2004. Thereafter, Contempt Petition No.25 of 2004 was filed before this Court in which on 10th June 2004, an order was passed by Mr.Justice A. P. Shah (as he then was), dismissing the Contempt Petition. The Court recorded the statement made on affidavit that Petitioner No.1 is entitled to commercial premises and that the Petitioners would be informed after the permanent alternative accommodation was ready in the building which was being constructed. The present Contempt Petition is, in the circumstances, clearly misconceived. The Petitioners have inter alia prayed for restoration of the status quo ante which cannot be granted. The Contempt Petition is dismissed.

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